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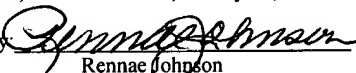
IN THE UNITED STATES PATENT & TRADEMARK OFFICE

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Appellant:	Jokinen et al.	Examiner:	Torres, M.
Serial No.:	09/919,317	Group Art Unit:	2683
Filing Date:	July 31, 2001	Docket No.:	NOKM.011PA
Title:	SYSTEM AND METHOD FOR AUTOMATIC PROVISIONING DETECTION AND NOTIFICATION		

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Appeal Brief - Patents, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on July 30, 2008.

By:   
Rennae Johnson

**AMENDED SUMMARY of CLAIMED SUBJECT MATTER**  
**UNDER 37 CFR 41.37(c)(1)(v)**

Mail Stop Appeal Brief - Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The attached amended summary section of the Appeal Brief (Section V) filed on April 11, 2007, is submitted pursuant to 37 C.F.R. § 41.37(d) for the above-referenced patent application in response to the Notification of Non-Compliant Appeal Brief dated July 25, 2008.

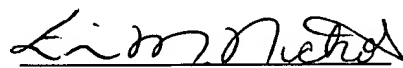
While the Notification contends that Section V does not separately map the independent claims to the specification, Appellant notes that 37 CFR § 41.37(c)(1)(v) only requires that “[a] concise explanation of the subject matter defined in each of the independent claims involved in the appeal, which must refer to the specification by page and line number, and to the drawing, if any, by reference characters” be provided. The second paragraph of Section V provided a map for the limitations of independent Claim 1, and since the limitations of independent Claim 46 differ from those of Claim 1 only by the preamble, also provided a map for the limitations of independent Claim 46. The second paragraph also included additional mapping for the preamble language of Claim 46 to the

specification. Thus, contrary to the contention in the Notification, Section V provided a concise explanation of the subject matter of each of the independent claims, including the required mapping, in accordance with 37 CFR § 41.37(c)(1)(v). However, in an effort to have the appeal process proceed, Appellant has provided the attached amended Section V to explicitly provide the requested separate mapping for the independent claims to overcome the alleged noncompliance of the Appeal Brief submitted on April 11, 2007.

No fee is believed to be required for the filing of this Amended Summary of Claimed Subject Matter; however, if it is determined that a fee is necessary, authority is given to charge/credit deposit account 50-3581 (NOKM.011PA) in support of this filing.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Erin M. Nichols", written over a horizontal line.

Name: Erin M. Nichols  
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## **V. SUMMARY OF CLAIMED SUBJECT MATTER**

The present invention is generally directed to provisioning mobile phones without requiring human intervention. Provisioning refers to setting initial configuration parameters when a mobile phone is initially activated and also refers to configuring and reconfiguring such parameters when new services are added or existing services are upgraded. Embodiments of the present invention are directed to methods and systems that involve providing a notification to a provisioning server to initiate provisioning procedures when an unprovisioned terminal is detected in a mobile network.

One embodiment of the present invention is directed to a method for initiating provisioning procedures for terminals operable in a mobile communications network. *See, e.g.,* Claim 1, Figs. 3 and 4; and the corresponding discussion in the instant Specification at page 16, line 21 – page 18, line 6. The method includes automatically detecting an unprovisioned terminal in a mobile communications network (*e.g.,* 302, 402) and providing a notification to a provisioning server to initiate provisioning procedures for the unprovisioned terminal in response to the automatic detection of the unprovisioned terminal (*e.g.,* 304, 404). The method also includes monitoring the unprovisioned terminal for a subscriber identifier identifying a particular subscriber and an equipment identifier identifying the unprovisioned terminal, where automatically detecting an unprovisioned terminal includes determining that the subscriber and equipment identifiers do not collectively correspond to known subscriber and equipment affiliations (*e.g.,* 300, 400).

Another embodiment of the present invention is directed to a provisioning system for automatically provisioning terminals in a mobile communications network. *See, e.g.,* Claim 28; Figs. 1 and 2; and the corresponding discussion at page 9, line 6 – page 16, line 20. The system includes a network element (*e.g.,* 207, 209), a detection module (*e.g.,* 112, 206), a provisioning trigger module (*e.g.,* 114, 206), and a provisioning server (*e.g.,* 118, 240). The network element is capable of receiving a subscriber identifier and an equipment identifier. The detection module is operable with the network element, capable of being coupled to a mobile communications network, and configured to monitor for at least the subscriber identifier and the equipment identifier transmitted from an unprovisioned terminal (*e.g.,* 100, 200), and to compare an identifier group comprising the subscriber and equipment identifiers to known subscriber-equipment groups. The

provisioning trigger module is capable of communicating with the detection module to generate a provisioning notification based on results of the comparison of the identifier group and known subscriber-equipment groups indicating that the unprovisioned terminal has been introduced on the mobile communications network. The provisioning server is configured to receive the provisioning notification and to instigate provisioning procedures with the unprovisioned terminal in response to the provisioning notification.

Another embodiment of the present invention is directed to a computer-readable medium having computer-executable instructions for initiating provisioning procedures for terminals operable in a mobile communications network. *See, e.g.*, Claim 46, Figs. 3 and 4; and the corresponding discussion in the instant Specification at page 16, line 21 – page 18, line 6 and page 26, line 4 – page 27, line 5. The steps of the provisioning procedure include automatically detecting an unprovisioned terminal in a mobile communications network (*e.g.*, 302, 402) and providing a notification to a provisioning server to initiate provisioning procedures for the unprovisioned terminal in response to the automatic detection of the unprovisioned terminal (*e.g.*, 304, 404). The steps also include monitoring the unprovisioned terminal for a subscriber identifier identifying a particular subscriber and an equipment identifier identifying the unprovisioned terminal, where automatically detecting an unprovisioned terminal includes determining that the subscriber and equipment identifiers do not collectively correspond to known subscriber and equipment affiliations (*e.g.*, 300, 400).

Another embodiment is directed to a provisioning system for automatically provisioning terminals in a mobile communications network. *See, e.g.*, Claim 47; Figs. 1 and 2; and the corresponding discussion at page 9, line 6 – page 16, line 20. The system includes means for receiving a subscriber identifier identifying a particular subscriber and an equipment identifier identifying an unprovisioned terminal and for comparing an identifier group comprising the subscriber and equipment identifiers to known subscriber-equipment groups. The system also includes means for automatically detecting the unprovisioned terminal in the mobile communications network, including means for determining that the subscriber and equipment identifiers do not collectively correspond to known subscriber and equipment affiliations based on results of the comparison. Means for providing a notification to a provisioning server to initiate a provisioning procedure for

the unprovisioned terminal in response to the automatic detection of the unprovisioned terminal are also included in the system. Each of the above-discussed means may include, for example, servers, mobile switching centers, home location registers, visiting location registers, serving GPRS support nodes, processors, short message service centers, equipment identity registers, etc. Appellant notes that a single structure may correspond to multiple “means” limitations. *See, e.g., Winbond Electronics Corp. v. International Trade Commission*, 4 Fed.Appx. 832, C.A.Fed., 2001.

Another embodiment of the present invention is directed to a network element for facilitating provisioning of terminals in a mobile communications network. *See, e.g.,* Claim 48; Fig. 2; and the corresponding discussion at page 10, line 17 – page 16, line 20. The network element (*e.g.,* 206, 208) includes a detection module capable of communicating via a mobile communications network and is configured to monitor for subscriber and equipment identifiers associated with one or more terminals and to identify unprovisioned terminals introduced into the mobile communication network based on correspondence between the subscriber and equipment identifiers and any of a plurality of known subscriber and equipment affiliations. The network element also includes a provisioning trigger module coupled to the detection module to generate provisioning notifications for the unprovisioned terminals identified via the detection module where each provisioning notification indicates that the respective unprovisioned terminal is to be provisioned.

As required by 37 C.F.R. § 41.37(c)(1)(v), a concise explanation of the subject matter defined in each of the independent claims involved in the appeal is provided herein. Appellant notes that representative subject matter is identified for each of these claims; however, the abundance of supporting subject matter in the application prohibits identifying all textual and diagrammatic references to each claimed recitation. Appellant thus submits that other application subject matter, which supports the claims but is not specifically identified above, may be found elsewhere in the application. Appellant further notes that this summary does not provide an exhaustive or exclusive view of the present subject matter, and Appellant refers to the appended claims and their legal equivalents for a complete statement of the invention.